

South Carolina State **PORTS AUTHORITY**DEPT OF TRANSPORTATION
DOCKETS

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P.O. Box 22287

CHARLESTON, S.C. 29413-2287 USA

(803) 723-8651

FAX: (803) 577-8191

April 15, 2009

Docket Management Facility (M-30)
U.S. Department of Transportation
West Building Ground Floor, Room W12-140
1200 New Jersey Ave SE
Washington, DC 20590-0001

Subject: Coast Guard Docket Number USCG-2005-21869
Notice of Proposed Rulemaking: 33 CFR Parts 160, 161, 164 &
165; Vessel
Requirements for Notices of Arrival & Departure, & Automatic
Identification System

Dear Sir,

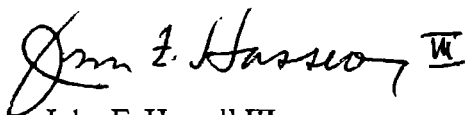
We commend the United States Coast Guard for their continuing effort to improve port security measures in partnership with the commercial marine industry. We respectfully request your consideration of the following regarding the proposed regulation 33 CFR 164.46:

1. The Charleston Branch Pilots are critical port security partners in the Port of Charleston, being the only non-federal agency with significant offshore capability, and the only agency that boards every arriving cargo ship. Recognizing the role and the domain of the Pilot's operations, state regulation has designated pilot vessels to be law enforcement assets of the state; and requires Pilots to support law enforcement by maintaining watch over their operating domain. They play a primary role in our port's most sensitive operations, including nuclear fuel shipments and military movements. They are critical partners of the State Ports Authority Police, and all of the agencies standing watch over our port. We note, however, that the applicability of the proposed regulation is ambiguous regarding pilot vessels, and offers no alternatives for law enforcement.
2. We strongly urge that these proposed regulations respect the existing homeland security partnership here and allow official vessels over 65 feet, including pilot vessels, to be covered by a secure form of AIS such as Blue Force Tracking. We are confident this will meet the intent of these regulations while also maintaining the sensitivity of our port security operations.

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Thank you, again, for your commitment to integration and partnerships to create the best possible security posture for our Ports.

Sincerely,

A handwritten signature in black ink, reading "John F. Hassell III". The signature is fluid and cursive, with a stylized "W" at the end.

John F. Hassell III
Interim President and Chief Executive Officer

JFH, III:mar